

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 VESTAR JAMES CENTER, LLC,

12 Plaintiff,

13 v.

14 WINGS BOSS LLC, a Washington
15 limited liability company and SA
16 FOOD SERVICE LLC,

17 Defendants.

18 CASE NO. 3:24-cv-05867-MJP

19 SECOND ORDER TO SHOW
20 CAUSE

21 The Court issues this Second Order to Show Cause in response to Plaintiff Vestar James
22 Center LLC's Supplemental Corporate Disclosure (Dkt. No. 19.) On January 15, 2025, the Court
23 ordered Plaintiff to "identify[] the member/owners of Vestar Retail Properties III, LLC, and what
24 their citizenship may be for the purposes of jurisdiction under 28 U.S.C. § 1332[,"] and further
 specified that "[i]f subsequently identified member/owners are also LLCs, Plaintiff must identify
 their citizenship as well." (Dkt. No. 18 at 2.) Plaintiff's Supplemental Corporate Disclosure
 states that "Vestar Retail Properties III, LLC has two members: VDC Cardon Grande Investor,

1 LLC and Vestar Manager RP, LLC; both of which are Delaware limited liability companies, and
 2 both of which are citizens of Delaware.” (Dkt. No. 19 at 2.) However, Plaintiff fails to identify
 3 the member/owners of VDC Cardon Grande Investor, LLC and Vestar Manager RP, LLC.

4 Plaintiff’s supplemental disclosure still does not show complete diversity between the
 5 parties. For purposes of diversity jurisdiction “an LLC is a citizen of every state of which its
 6 owners/members are citizens.” Johnson v. Columbia Properties Anchorage, LP, 437 F.3d 894,
 7 899 (9th Cir. 2006). By failing to identify the members/owners of VDC Cardon Grande Investor,
 8 LLC and Vestar Manager RP, LLC, and their citizenship, the Court is unable to determine the
 9 citizenship of Vestar Retail Properties III, LLC or Plaintiff Vestar James Center LLC. The
 10 citizenship inquiry cannot end at an LLC; Plaintiff must continue to identify the
 11 members/owners of each subsequent LLC until no such entities remain. Only then will the Court
 12 be able to determine whether there is complete diversity between the Parties.

13 Plaintiff is hereby ORDERED to SHOW CAUSE as to how the Court has subject matter
 14 jurisdiction over this action and why it should not dismiss it for lack of diversity jurisdiction.
 15 Within 14 days of this Order, Plaintiff shall file a supplemental Fed. R. Civ. P. 7.1(b) diversity
 16 disclosure identifying the member/owners of VDC Cardon Grande Investor, LLC and Vestar
 17 Manager RP, LLC, and the citizenship of those members/owners. Plaintiff must do the same for
 18 any subsequently identified LLCs.

19 The clerk is ordered to provide copies of this order to all counsel.

20 Dated February 26, 2025.

21 
 22

23 Marsha J. Pechman
 24 United States Senior District Judge